

In the United States Bankruptcy Court

John J Lynch

No# 16-00301 *

No# 16-16269

Emely Pinera

Motion to Vacate November 30th 2016
order of dismissal after Ex parte
hearing for Lack of Jurisdiction

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ASHLEY M. CHAN
BANKRUPTCY JUDGE

The Adversary John J Lynch moves
to Vacate the Courts order of Nov 30th
2016 for Lack of Jurisdiction, and
cites the following:

1. On 9-26-16 the Court denied the
adversary in Forme Paupers Petition
Pocket No #2
2. On October 14th 2016 The adversary
appealed to the United States District Court
Pocket No #6.
3. Consequently the Court lacked jurisdiction
while the appeal was pending, and the
court filing fee was not paid, to
proceed further in the matter, and the
lack of jurisdiction is a timeless claim,
and not maintainable.

EXHIBIT

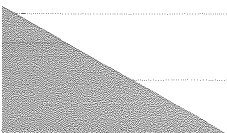
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- 4, the Courts lack of jurisdiction is clear, and obvious upon the face of the records.
- 5, Vacating the courts erroneous order of November 30th 2016 dismissing the adversary complaint with prejudice is just and proper because no fee was paid, and no decision on the In forma Pauper's Petition had occurred on or prior to November 30th 2016, and the record was not returned to the court until 4-20-17 therefore the court could not have acted in consideration of the controversy or rule upon the merits accordingly.

Respectfully
Submitted

John J Lynch

8-28-17



Certificate of Service

I John J Lynch does hereby certify that I have served a true, and correct copy of the attached motion to vacate upon the persons listed below by 1st class mail on the 29 day of August 2017

John J Lynch

✓ ① Ashley Chan Judge
United States Bky Ct,
900 Market St
Phila Pa, 19106

⑤ Thomas T Puelo Esq
KML Law Group
701 Market St
STE 5000
Phila PA, 19106

✓ ② Jennifer Schultz Esq
1410 W Erie Ave
Phila PA, 19140

⑥ US Trustee
Gary F Seitz Esq
Gellert, Scali, Bushnell
& Brown LLC
601 Walnut St
STE 470 W,
Phila PA, 19106

③ Evelyn Rivera
10814 Modena Ter,
Phila Pa 19154

✓ ④ Kevin S. McDonald Esq
Blank Rome LLP
One Logan Sq
Phila PA 19102

CC: Hon. Legrom Paus
US, DC,

MD